

## Chapter 237: MASS GATHERINGS

### § 237-1 Notification of Fire Marshal required; inspections.

All persons and organizations conducting or making facilities available for events as defined herein shall notify the Fire Marshal, in writing, of the time and place of the event at least five days prior to the date on which the event is to be held. The Fire Marshal may inspect the premises at which the event is to be held for compliance with fire safety laws prior to the event. Inspection is to be made for all fire safety features, including but not limited to exits, exit ways, exit and emergency lights, interior finishes, capacity and temporary appliances such as lights and loudspeakers.

### § 237-2 Definition of "event."

As used herein, "events" are public assemblies including but not limited to dances, fairs, craft shows, auctions, plays, concerts and sporting events at which 50 or more people are expected to attend, not including, however, regular meetings of organizations open to members only.

### § 237-3 Applicability.

~~This chapter shall apply to indoor or outdoor facilities used for such events, including but not limited to schools, colleges, churches and facilities of fraternal organizations.~~

**This chapter shall apply to indoor or outdoor facilities used for such events, including but not limited to schools, colleges, and commercial establishments. Indoor events at churches and facilities of fraternal organizations shall be exempt from this part of the ordinance. Events, indoor and outdoor, at a private residence shall also be exempt.**

### § 237-4 Assignment of fire fighters to event.

Nothing in this chapter shall prevent the assignment of fire fighters for duty at an event at the expense of the person or organization sponsoring the event.

### § 237-5 Penalties for offenses. [1]

Any person who violates any provision of this chapter shall be fined not more than \$100. Each day on which an event is held without notification to the Fire Marshal as required by this chapter shall be deemed a separate offense.

[1]:

Editor's Note: Added at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

Town of East Hampton, CT  
Thursday, April 9, 2015

## Chapter 117. PURCHASING

[HISTORY: Adopted by the Town Council of the Town of East Hampton 10-30-2001 (Ord. No. 12.07).  
Amendments noted where applicable.]

### **GENERAL REFERENCES**

Code of Ethics — See Ch. E.

### § 117-1. Declaration of policy.

It is the intent of the Town to provide consistent rules for the purchase of equipment, services and supplies to facilitate efficient municipal operations and to provide fairness to all parties, including but not limited to individuals, corporations, or government agencies whose equipment, services and supplies are purchased by the Town of East Hampton, including the Board of Education. Purchases shall be made considering price, quality and availability as important determining factors in the selection of equipment, services and supplies.

### § 117-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated as follows:

#### **BID**

A notice in writing in a sealed envelope delivered to the Town Manager (or designee) or Superintendent of Schools (or designee), as the case may be, by a specified date, to be opened in public at a specified date and time by the Town Manager (or designee) or by the Superintendent of Schools (or designee), as the case may be, whereby a vendor informs the Town of the price for which he/she shall furnish supplies, materials, equipment, or services to the Town.

#### **CAPITAL EQUIPMENT**

Equipment, including rolling stock, vehicles, machinery, etc., other than supplies, which is used to provide a service to the community.

#### **QUALIFIED**

Meeting such qualifications as the Town may set forth in its requests for bids, quotations, or proposals.

#### **QUOTATION**

A notice, in writing, whereby a vendor informs the Town of the price for which he/she will furnish supplies, materials, equipment or services to the Town.

#### **RESPONSIBLE**

Having the experience and financial strengths, in the reasonable judgment of the Town, necessary to perform in the delivery of services, materials, equipment or supplies.

#### **SERVICES**



Includes contractual services rendered to the Town by a vendor.

**SUPPLIES**

Includes supplies and materials used in the daily operation of the Town.

**TOWN**

All Town agencies, including the Board of Education.

### § 117-3. Purchases of capital equipment, services and supplies.

All purchases require a purchase order, standing purchase order or requisition. The following requirements shall govern the purchase of supplies, equipment and services:

- A. If the estimated value is less than \$5,000, the department or agency head may make the purchase after careful review of the most competitive price considering the quality of the proposed purchased items.
- B. If the estimated value is equal to or greater than \$5,000 but less than \$10,000, the purchase may be made with the approval of the Town Manager or his designee (or in the case of the Board of Education operating budget, the Superintendent of Schools or his designee) after the department head or agency head has received at least three written quotations, and the purchase shall be the lowest qualified and responsible quote. If for any reason three quotes are not obtained, the purchase may be made after providing written documentation for the files, indicating why three quotes could not be obtained.
- C. If the estimated value is equal to or greater than \$10,000, the purchase shall generally be made from the lowest qualified and responsible bidder using a sealed bid procedure described in § 117-5 below, with two exceptions hereafter described. The award shall be made by the Town Council or, in the case of the School operating budget, the Board of Education, unless it is a joint bid with another Town agency, in which case the Council shall make the award. The first exception is where the proposal of the lowest qualified and responsible bidder exceeds the Town's budget for the item, in which case the Town may reject all proposals by majority vote of the Town Council or Board of Education, as the case may be. The second exception applies where it is deemed to be in the best interests of the Town of East Hampton to make the award to a bidder other than the lowest qualified and responsible bidder. This latter exception requires an affirmative vote of  $\frac{3}{4}$  of the elected membership of the Town Council at a regular or special meeting.
- D. Contracts for service and/or maintenance shall be acquired or bid in accordance with the provisions of this section. Such contracts may be entered for periods renewable on a month-to-month basis and shall be terminable upon written thirty-day notice by the Town/Board of Education or the vendor/supplier. Such contracts shall remain in effect until such termination and shall not require quotation or re-bid until such termination.
- E. Splitting of contracts to avoid any of the limits of this section shall be prohibited.

### § 117-4. Exemptions.

- A. Legal, professional engineering, student educational and auditing services shall be exempt. Consulting services shall be acquired through a "Request For Proposals" process, unless a written justification is provided to the Town Council or Board of Education that a single source is uniquely qualified to provide the desired services.

- B. Purchases made from any agency or office of the federal, state or local government or other governmental unit, or nonprofit organization or sole-source supplier shall be exempt.
- C. Nothing in this chapter shall prohibit the Town from purchasing items under state bids and/or contracts and/or participation in regional purchasing councils who have used a sealed bid procedure.
- D. Nothing in this chapter shall prohibit the Town from contracting for repairs of an immediate nature for health and safety reasons and to prevent damage or injury.
- E. Materials. When multiple suppliers of material are not within the transportable range, the Public Works Department shall be exempt from the requirements of § 117-3. In such case, the Public Works Department shall seek to obtain the best price within the transportable range.
- F. Existing maintenance or service contracts which have no fixed duration shall remain in effect on a renewable basis and shall not be subject to the acquisition and/or bid requirements outlined in § 117-3 until such time as said contract is terminated in accordance with § 117-3D.
- G. Purchases of used equipment where comparable bids are unavailable, and it has been determined by the Town Manager that the purchase of a particular piece of equipment is of good value to the Town, shall be exempt.

### § 117-5. Sealed bid procedure.

- A. All requests for bids shall be advertised in a newspaper suitable for notifying multiple prospective bidders or advertised on the State of Connecticut Department of Administrative Services Web page.<sup>[1]</sup> When necessary, the Town shall also directly solicit potential qualified sources for bids. The goal shall be to obtain at least three bids. If, however, after due diligence has been exercised, fewer than three bids have been received, the Town may award the contract if it is in the best interest of the Town.  
[1]: *Editor's Note: The Department of Administrative Services Web page can be accessed at [www.das.state.ct.us](http://www.das.state.ct.us).*
- B. A copy of the invitation to bid or the legal notice will be posted at the Town Hall in the office of the Town Clerk until the bids have been opened.
- C. Bid documents shall be available to all firms indicating an interest in bidding. A fee may or may not be charged for bid documents.

### § 117-6. Insurance and licensing requirements.

All parties employed by the Town to perform work on Town-owned property shall carry the required level of insurance coverage, indemnity, and hold the Town harmless. The Town shall be named as additional insured on the insurance certificate. When required by law (such as the trades, etc.), all parties performing work for the Town shall have and maintain the required licenses and/or certifications to perform such work.

### § 117-7. Waivers.

With a vote of 3/4 of the elected membership of the Town Council, at a regular or special meeting, the Town Council may waive the bidding procedure with regard to any purchase upon finding that such waiver is in the best interest of the Town. Such waiver shall include in the record the reasons for the

Council's action. Public notice shall be given at least seven days in advance of any vote to consider a waiver of the bidding procedure.

## § 117-8. Nondiscrimination.

Purchasing shall be conducted without regard to the political affiliation, race, sex, age, religion, national origin, disability, residence, familial relationship or business associations of vendors and/or contractors. All purchasing will comply with the provisions of applicable state and federal laws pertaining to civil rights, equal opportunity and affirmative action.

[1]: *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).*

## § 117-9. Conflicts of interest.

The Ethics Resolution as adopted and amended by the Town Council shall be applicable to this chapter.

[1]

[1]: *Editor's Note: See Ch. E, Code of Ethics.*





April 10, 2015

To: The East Hampton Town Council

Documentation of the below listed tax refunds are available in the Tax Office for your review if you so desire. The refunds total \$837.86.

Thank you for your assistance.

*Nancy Hasselman, CCMC*

Nancy Hasselman, CCMC  
Collector of Revenue

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82 • 07	+
48 • 61	+
186 • 18	+
32 • 78	+
182 • 43	+
13 • 57	+
31 • 89	+
260 • 33	+
837 • 86	*